

Questions and Answers for the 1999 Biennial Report

The following are answers to some commonly asked questions about the Biennial Report:

GENERAL AND PROCEDURAL QUESTIONS

Obtaining Copies of the 1999 Biennial Report Forms and Instructions

Q: How can I get a copy of the 1999 Biennial Report Forms and Instructions?

A: They are available on the Internet at:

<http://www.epa.gov/epaoswer/hazwaste/data/brsforms.htm> Paper copies are available from your state or EPA Regional office.

State and EPA Regional Contacts

Q: Who should I contact if I have any questions about completing the Biennial Report?

A: There is a list of contacts beginning on page 79 of the 1999 Biennial Report Forms and Instructions.

Federal and State Forms

Q: If my state has sent its own state Biennial Report forms to me, should I use them or the federal Biennial Report forms?

A: You should use the state forms.

Who is Required to Submit the Biennial Report?

Q: Who must submit the 1999 Biennial Report?

A: All Large Quantity Generators (LQGs) and Treatment, Storage, and Disposal Facilities (TSDFs) must submit a 1999 Biennial Report describing all the hazardous waste activities that occurred at their facility in 1999. Some states also require Small Quantity Generators to report.

LQG - Large Quantity Generator

Q: What is a LQG?

A: A LQG:

1. Generates 1,000 kg (2,200 lbs) or more of RCRA hazardous waste during any calendar month, or
2. Generates in any single month, or accumulated at any time, 1 kg (2.2 lbs) of RCRA acute hazardous waste, or
3. Generates in any single month or accumulated at any time more than 100 kg (220 lbs) or spill cleanup material contaminated with RCRA acute hazardous waste.

(Please remember that states may have different definitions for LQGs).

Q: What are the reporting requirements for generators who generated LQG amounts of waste during only one month of the year?

A: Facilities who generated large quantity generator levels of waste during any month in 1999 must report **all** the waste they generated in 1999, not just the waste they generated for the month when they met the definition of an LQG.

TSDF - Treatment, Storage or Disposal Facility

Q: What is a TSDF?

A: A TSDF is a facility which treats, stores, or disposes of hazardous waste.

Annual Reports

Q: Do I have to submit the Biennial Report if I have already submitted a state-required annual report of hazardous waste generation and management to my state?

A: Annual state reports are required by some states, instead of the Biennial Report. Contact your state to find out whether you must fill out an annual report, and whether it substitutes for the Biennial Report.

Reporting Fees

Q: What are my reporting fees?

A: There are no federal reporting fees for the Biennial Report. Your state will let you know if it requires a reporting fee.

Submitting the Completed Biennial Report

Q: Where do I send my completed Biennial Report?

A: Your completed 1999 Biennial Report must be submitted to the State or EPA Regional office that sent you the Biennial Report Forms and Instructions booklet. **Do not** send it to EPA's Headquarters Office.

Q: Can I submit the Biennial Report via fax?

A: Check with your state or EPA Regional contact.

Q: Can I submit the Biennial Report electronically?

A: Your state or EPA Regional office will let you know whether you can submit electronically.

Q: Can I use the 1997 Biennial Report Forms and Instructions?

A: No. Please use the 1999 Forms and Instructions.

Deadlines and Extensions

Q: Is the March 1, 2000 deadline for submitting the 1999 Biennial Report a postmark deadline or is it the date by which the state or EPA Region must receive the form?

A: March 1, 2000 is a postmark deadline.

Q: Can I get an extension to the deadline?

A: You must send a written request for an extension by March 1, 2000 to your state or Regional office.

Q: Will I be penalized if my Biennial Report submission is late?

A: Check with your state or Regional office.

EPA ID

Q: What is our EPA identification number?

A: You should have received an EPA ID when you began generating or managing hazardous waste. Check with your state or EPA Regional office for your EPA ID if you do not know what it is.

Mandatory Information

Q: What does it mean when a Biennial Report data element is mandatory?

A: Mandatory data elements are those we legally require you to complete. Non-mandatory data elements, on the other hand, are voluntary to complete.

Waste Minimization

Q: Must I report my waste minimization activities?

A: No. There are no waste minimization questions in the 1999 Biennial Report.

Adding Comments to the Forms

Q: How should I use the comments boxes on the forms?

A: Use the comments box to add detail, if necessary, to the information on the forms.

QUESTIONS RELATED TO SPECIFIC BIENNIAL REPORT FORMS**IC FORM - IDENTIFICATION AND CERTIFICATION****Certification**

Q: Who must sign the certification on the IC form?

A: The person who best meets the requirements listed in the certification section of the form.

Change in Ownership

Q: What happens when a facility changes ownership during the reporting year?

A: The previous owner must fill out a Biennial Report for the waste generated and managed during the months prior to the sale of the facility. The new owner must fill out a Biennial Report for the months after he/she takes ownership of the facility.

Q: Should I complete the forms I received that were addressed to the previous owner?

A: If you receive these forms you are probably a LQG or TSDF, and if so, you should complete them. If you are not a LQG or TSDF, see the next question.

Facilities That Do Not have to Report

Q: What should I do if I received a 1999 Biennial Report Forms and Instruction booklet, but I am not required to submit a Biennial Report (for example, I am not a Large Quantity Generator)?

A: You should fill out and send the notification postcard that is at the end of the booklet to your state or EPA Regional office.

GM FORM - WASTE GENERATION AND MANAGEMENT

How Many GM Forms Must Be Submitted

Q: How many GM forms should I file?

A: A GM Form must be filled out for each RCRA hazardous waste that was generated during 1999. Similar hazardous wastes may be combined onto one GM form if the wastes have the same Biennial Report Origin and Form codes.

What Period do I Report For?

Q: Do I only report wastes generated in 1999?

A: The main rule is that you must report **all** the hazardous waste activities that took place in 1999. A site must file a Biennial Report for all hazardous waste generated and: managed on site, stored on site, or shipped off site during 1999. If a hazardous waste was generated in 1998, but not shipped off site until 1999, it should be reported as shipped offsite on the 1999 Biennial Report.

What Wastes Should/Should Not Be Reported

- o Contaminated soils - Soils that are contaminated with hazardous waste must be reported if they are either managed onsite or shipped offsite, **and** if this amount of contaminated soil meets the Large Quantity Generator definition.
- o Nonhazardous wastes - Do not report nonhazardous wastes.
- o PCBs - Do not report PCBs unless they are mixed with a RCRA hazardous waste.
- o Hazardous waste that is recycled - You must report hazardous waste that is recycled if the recycling process is regulated by 40 CFR Part 261.

Cleanup Activities

Q: In Section I Box E of the GM form, Origin Code 1 is for routine cleanups (including off-specification or spent chemicals), while Origin Code 2 is for spill cleanups, equipment decommissioning or other remedial cleanup activity. What is the difference between the two?

A: Use Origin Code 1 for spills at a production facility or a hazardous waste management facility. Use Origin code 2 for cleanups occurring at Superfund emergency and remedial action sites and at RCRA corrective action sites.

Decharacterized Waste

Q: If I generate a RCRA characteristic waste that is decharacterized on site before being sent off site, must I still complete Section III of the GM form?

A: Since this waste was managed onsite, report generation and management in Section II. Since it was no longer a hazardous waste when shipped offsite, do not report anything in Section III. You should write in the comments section that the waste was decharacterized.

Lab Packs

Q: How should I report lab packs?

A: See the instructions on page 37 of the Forms and Instruction booklet.

Q: Does “mixed lab packs” mean lab packs containing radioactive mixed waste, or does it mean lab packs containing a mixture of chemicals and debris?

A: Chemicals and debris.

Radioactive Mixed Waste

Q: What is radioactive mixed waste?

A: Waste that is both RCRA hazardous and radioactive.

Treatment Residuals

Q: Must I file a separate GM form for treatment residuals?

A: Yes, if the residuals are a RCRA hazardous waste.

Universal Waste

Q: What are the reporting requirements for universal wastes?

A: Universal waste handlers are not required to file the Biennial Report. In addition, universal waste should not be counted when determining whether a facility is a Large Quantity Generator. However, universal waste destination facilities must complete a Biennial Report.

Wastewaters

Q: How do I report wastewaters that are managed on site?

A: For each wastewater managed on site, use one GM form and Biennial Report System Type Codes M134, M135, or M136. Report the quantity of wastewater entering the wastewater treatment system, not the quantity discharged from the treatment system.

Density of Waste

Q: How do I determine the density of waste?

A: Divide the weight of the waste by the volume.

State Hazardous Waste Codes

For information on state hazardous waste codes, contact your state.

End of Year Shipments

Q: If I shipped waste off-site in December 1998 and the off-site TSDF did not receive it until January 1999, do I file a GM form for this waste?

A: No. However, the receiving facility should report this waste on the WR form.

Q: What if I generate waste in a reporting year and then store it on site for shipping off site after the reporting year is over?

A: Report the quantity generated. Note in the comments section that the waste was not managed during the reporting year.

Destination Facility

Q: Should the EPA ID of the initial or final destination facility for the waste I generate be reported in Section III, Box B?

A: The initial facility.

Interstate Shipments

Q: If a facility generates a waste that is not RCRA-hazardous, and then ships it to a state where it is regulated as a state-only hazardous waste, must it be reported?

A: The generator should not complete a Biennial Report. The receiving facility should check with the state about whether the waste should be reported.

Permit-by-Rule Facilities

Q: What are the reporting requirements for wastes that are treated in units that do not have a RCRA permit, but are regulated by RCRA under the “Permit-by-Rule” provision, such as Publicly Owned Treatment Works?

A: These wastes should be reported.

WR FORM - WASTE RECEIVED FROM OFF-SITE**Aggregating Wastes**

Q: Can different hazardous wastes be combined onto one WR form?

A: Hazardous wastes from the same off-site handler may be combined on one WR form if the wastes have the same Biennial Report Form and System codes.

Off-Site

Q: What does “waste received from off-site” mean?

A: It means that the waste was generated at a different location than the receiving facility.

Stored and Rejected Waste

Q: If I receive waste during the reporting year, store it, then reject it the next year, should I still report receiving it?

A: Yes. You should also describe the situation in the Comments section at the bottom of the form and check with your state for additional requirements.

OI FORM - OFF SITE IDENTIFICATION

Q: Must I complete the OI form?

A: Your state will tell you whether you should complete this form.